

HOLLEY DRIGGS

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Attorneys for Lux Vending, LLC d/b/a Bitcoin Depot

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

CASH CLOUD, INC., DBA COIN CLOUD,

Debtor.

CASH CLOUD, INC., DBA COIN
CLOUD,

Plaintiff,

v.

LUX VENDING, LLC d/b/a BITCOIN
DEPOT,

Defendant.

Case No. 23-10423-MKN
Chapter 11

Adv. No. 23-01015-MKN

**NOTICE OF HEARING ON DEFENDANT
LUX VENDING, LLC D/B/A BITCOIN
DEPOT'S MOTION TO DISMISS
PLAINTIFF'S COMPLAINT**

Date of Hearing: May 17, 2023
Time of Hearing: 9:30 a.m.

REMOTE:¹
Court Hearing Participation # (669) 254-5252
Meeting ID: 161 062 2560
Access Code: 029066#

Judge: Hon. Mike K. Nakagawa

¹ Hearing on the Motion will be held before a United States Bankruptcy Judge. Pursuant to Administrative Order 2020-05, all hearings are currently being heard telephonically. More information and instructions on telephonic hearings in this District can be found at the following website: www.nvb.uscourts.gov/news-rss/announcements/2020/0319-court-hearingparticipation. Any parties intending to participate at hearing on this matter are advised to regularly check the Court's website (www.nvb.uscourts.gov/) prior to the hearing for updates concerning hearing procedures.

NOTICE IS HEREBY GIVEN that *Defendant Lux Vending, LLC d/b/a Bitcoin Depot's Motion To Dismiss Plaintiff's Complaint* ("Motion") was filed on April 13, 2023, by Defendant Lux Vending, LLC d/b/a Bitcoin Depot, by and through counsel Adam P. Schwartz and John J. Lamoureux of the law firm Carlton Fields, P.A., and Stacy H. Rubin of the law firm Holley Driggs. The Motion seeks to dismiss Cash Cloud, Inc., dba Coin Cloud's Complaint under Rule 7012 of the Federal Rules of Bankruptcy Procedure and Rule 12(b)(6) of the Federal Rules of Civil Procedure.

Any opposition must be filed under Local Rule 9014(d)(1).

NOTICE IS FURTHER GIVEN that if you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then you must file an opposition with the Court, and serve a copy on the person making the Motion ***no later than fourteen (14) days preceding the hearing date for the Motion.*** The opposition must state your position, set forth all relevant facts and legal authority, and be supported by affidavits or declarations that conform to Local Rule 9014(c).

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the court. You *must* also serve your written response to the person who sent you this notice.

If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- The Court may *refuse to allow you to speak* at the scheduled hearing; and
- The Court may *rule against you* without formally calling the matter at the hearing.

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NOTICE IS FURTHER GIVEN that the hearing on said Motion will be held telephonically before a United States Bankruptcy Judge in the Foley Federal Building, 300 Las Vegas Blvd. South, Las Vegas, Nevada, on **May 17, 2023, at 9:30 a.m. prevailing Pacific Time.** **The Court will conduct a telephonic hearing on the Motion. The toll-free conference line is (669) 254-5252, Meeting ID: 161 062 2560, Access Code: 029066#.**

DATED this 13th day of April 2023.

HOLLEY DRIGGS

/s/ Stacy H. Rubin
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*Attorneys for Lux Vending, LLC
d/b/a Bitcoin Depot*

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CERTIFICATE OF SERVICE

I hereby certify that I am an employee of Holley Driggs and that, on the 13th day of April 2023, I caused to be served a true and correct copy of NOTICE OF HEARING ON DEFENDANT LUX VENDING, LLC D/B/A BITCOIN DEPOT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT in the following manner:

☒ (ELECTRONIC SERVICE) Under Local Rule 5005 of the United States Bankruptcy Court for the District of Nevada, the above-referenced document was electronically filed on the date hereof and served through the Notice of Electronic Filing automatically generated by that Court's facilities.

☐ (UNITED STATES MAIL) By depositing a copy of the above-referenced document for mailing in the United States Mail, first-class postage prepaid, at Las Vegas, Nevada, to the parties listed on the attached service list, at their last known mailing addresses, on the date above written.

☐ (OVERNIGHT COURIER) By depositing a true and correct copy of the above-referenced document for overnight delivery via Federal Express, at a collection facility maintained for such purpose, addressed to the parties on the attached service list, at their last known delivery address, on the date above written.

☐ (FACSIMILE) By serving a true and correct copy of the above-referenced document via facsimile, to the facsimile numbers indicated, to those listed on the attached service list, and on the date above written.

/s/ Olivia Swibies
An employee of Holley Driggs